



Norton Conservation Commission
70 East Main Street
Norton, MA 02766
508-285-0275
508-285-0277 fax
conservation@nortonmaus.com

RECEIVED
TOWN CLERK
2017 APR 24 A 10:19

Monday, March 27, 2017
6:30 pm
2nd Floor Conference Room
Norton Town Hall

MINUTES

The meeting was called to order at 6:30 pm.

Attendance: Scott Ollerhead, Ron O'Reilly, Dan Pearson, Gene Blood, Lisa Carrozza, and Conservation Agent, Jennifer Carlino

Absent: Julian Kadish and Jan Franceschelli

WETLAND HEARINGS

6:31 pm **22 Maplewood Ave Enforcement Order** (Map 19, parcel 49)
Violation consists of altering Bordering Land Subject to Flooding, Priority Habitat and buffer zone to Bordering Vegetated Wetland to Winnecunnet Pond without a valid permit. Alteration consists of regarding the yard and expanding the parking area.

Document List

1. *September 16, 2016 Cease and Desist letter from Conservation Commission to Alexa Medina.*
2. *Site photographs*
3. *Enforcement Order issued January 10, 2017*
4. *Enforcement Order revised issued February 13, 2017*
5. *Plans entitled, "Sanitary Disposal Repair for Mark Landolfi in Norton MA" signed and stamped by Jack Vance, dated January 18, 1996.*

Kevin Rooney attended meeting and had mailed a 1996 septic plan with elevations. Members reviewed the plan and photographs of the site. Rooney did not have any receipts showing the amount of fill brought to the site or pictures of site stabilization. Carrozza explained importance of floodplain. Carrozza requested existing conditions plan showing current elevations to compare to 1996 plan. Rooney agrees to providing current plan. Stabilization should be done this spring but need to review existing conditions first.

Enforcement Order will be revised to allow Rooney to obtain new existing conditions plan prior to April 24, 2017 meeting.

A motion was made by O'Reilly, seconded by Carrozza to continue discussion at the April 24, 2017 meeting. Approved.



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Discussion: Eagle Scout project proposal at Norton Reservoir Dam by John Goebel. John Goebel appeared before the commission with his Eagle Scout project proposal. The scout will perform trail maintenance in a small section near the parking area. The primary focus of the project is to build a kiosk for informational material and a map and a bench at the edge of the Reservoir. Scouts will also pick up trash. He sent bench design to building inspector for approval. Commission expressed gratitude for the project.

A motion was made by Carrozza, seconded by Pearson, to approve the project on Conservation land. Approved.

6:50 pm

Request to Amend an existing Order of Conditions (DEP # 250-973)- Michael Yunits, Town of Norton- Map 19 parcel 183, Winnecunnet Pond for proposed plans to modify the application method of the sonar treatment of aquatic plants within Winnecunnet Pond.

Document list- for amendment

1. Letter from Solitude Lake Management to Division of Fisheries and Wildlife and Norton Conservation Commission dated March 15, 2017.
2. Letter from Natural Heritage and Endangered Species Program to Conservation Commission dated April 20, 2016.
3. Email from Natural Heritage and Endangered Species Program to Conservation Commission and Keith Gazaille dated March 22, 2017.
4. Email from Conservation Commission to Natural Heritage and Endangered Species Program dated March 23, 2017.

Keith Gazaille of Solitude Lake Management appeared before the Commission to describe proposed changes to the existing plan. Gazaille petitioned the Commission and the Natural Heritage and Endangered Species Program (NHESP) to:

1. Add pellet formulation of Sonar to treatment options; and
2. Alter the monitoring criteria to more logical depths.

Scientific data submitted illustrates pellet formulation and requested concentrations do not harm freshwater mussels. NHESP sent letter approving changes provided three conditions are completed. Commission reviewed conditions and amended certain conditions of the existing Order. Gazaille agreed to changes.

A motion was made by Carrozza, seconded by O'Reilly to close the public hearing. Approved. A motion was made by Carrozza, seconded by Blood to approve the Amended Order of Conditions with edits. Approved.



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7:00pm **Notice of Intent – (#250-995) – Erin Whoriskey, Massachusetts Electric Company d/b/a National Grid- West Hodges Street public roadway shoulder (nearest Assessor's Map 35, Parcel 7-04) – (cont. from the Dec. 19, 2016, Jan 9, 2017, Jan 23, 2017, Feb . 13, 2017, March 13, 2017) - for proposed plans to install new underground conduit by directional drilling under wetland and Goose Branch Brook and within the 100-year floodplain.**

The hearing is continued to April 10, 2017 to receive revised plans showing work outside jurisdictional areas and withdraw the permit application. A motion was made by Carrozza, seconded by Pearson. Approved.

7:01 pm **Notice of Intent (#250-983) – Muhammad Itani/Island Brook LLC – 0 East Main Street – (Assessor's Map 17, Parcels 57, 238, 239, 240, 241, 242, 243, 244 & 245) (cont. from the October 24, 2016, Nov. 14, 2016 mtg, Nov. 28, 2016, Dec. 19, 2016, Jan 9, 2017, Jan 23, 2017, Feb . 13, 2017., March 13, 2017)- for the construction of 56 single-family units with loop road, stormwater detention ponds and work within 200 feet of Rumford River.**

Gallagher Engineering requested continuance to April 10, 2017. A motion was made by Pearson, seconded by Carrozza to continue to April 10, 2017. Approved.

SIGN AND ISSUE ORDER OF CONDITIONS/ORDER OF RESOURCE AREA DELINEATION

Amended Order of Conditions - (#250-960) – Condyne Capital Partners – 60 Commerce Way, (Assessor's Map 24, Parcel 116)– (cont. from the October 24, 2016, Nov. 14, 2016 mtg, Nov. 28, 2016, Dec. 19, 2016, Jan 9, 2017, Jan 23, 2017, Feb . 13, 2017.) - to amend/modify the building size, stormwater management and drainage changes, installation of fuel island and a new water line.
Carrozza recused herself from the discussion. A motion was made by O'Reilly, seconded by Blood to issue the Amended Order of Conditions. Approved. Carrozza abstained.



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JUN 24 10:19 AM '17

REQUEST FOR PARTIAL/FULL CERTIFICATE OF COMPLIANCE

DEP #250-897

Emerson Martins

142 E Main St

(full)

map 17, parcels 62 & 128

- For plans to construct a garage and landscaping yard within 100 feet of bvw and a vernal pool.

Project is not in full compliance with the condition requiring that the concrete bins have a concrete floor and provide stormwater attenuation with a stone trench. Commission determined that is the bottom isn't concrete there is no need for stormwater attenuation. A motion was made by Carrozza, seconded by O'Reilly to issue the Full Certificate of Compliance. Approved.

REVIEW DRAFT MINUTES

3-13-17- *A motion was made by Carrozza, seconded by Pearson, to approve the minutes with edits. Approved.*

OLD BUSINESS

Pull bonds for certificates of compliance

- DEP # 250-575 227 Reservoir st (map 10, parcel 414)
- DEP # 250-522 120 Bay rd (map 12, parcel 190)
- DEP # 250-460 7 Wetherell way (map 4, parcel 170)

Carlino asked John DeLano for estimates to finish these projects. The bond funds from the developers are in place and the new owners have all been notified and agree to us completing the projects to release the liens on their properties. DeLano responded the bonds are not sufficient to cover the cost of the work. Commission determined that Wetland Protection Fund should be used. A motion was made by Carrozza, seconded by Blood to approved up to \$1,000.00 for each project from Wetland Protection Fund and authorize DeLano to complete the work as requested. Approved.

Violations: *no discussion*

- 90A Freeman
- 241 Dean Street
- 388 Reservoir St

NEW BUSINESS

Request for Wetland Protection Funds from Selectmen

A motion was made by Carrozza, seconded by O'Reilly to approve the transfer of \$5,000.00 to the General Fund from Wetland Protection Fund as requested by Town Manager. Approved.



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Reservoir Update -Pare Corporation provided a detailed email listing all the remaining work to be done for Chartley and Reservoir in response to Office of Dam Safety letters and the town's maintenance schedule.

Chartley Pond update

- Pare contract addendum request-
- Request for legal services to determine owner of all retaining walls-

Discussion: Leonard st- Mark Dibb 3-15-17 email request regarding the use of golf course area, access to Canoe River? Carrozza recused herself from discussion. Commission decided that no comment would be given on this issue since it is not a formal permit application.

Reservoir Update

Chartley Pond update

Report from Staff

Waterbodies Committee update

Wetland Protection Fund

Grants

OPEN SESSION (TOPICS NOT REASONABLY ANTICIPATED 48 HOURS IN ADVANCE)

- Notice of Project Change was issued about the South Coast Rail. The project still will not involve any impacts on Norton so no comments will be submitted.
- Natural Heritage and Endangered Species Priority Habitat maps will be available for review and comment beginning April 3 through June 2017.

Meeting adjourned at 8:30pm.

Minutes approved by the Commission on 4-10-17 (Date)

Respectfully submitted,

Scott M. Ollerhead (Signature) Chairman, Conservation Commission

Scott Ollerhead (Printed name)